

Legislation Text

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Calling for a Philadelphia Historic Marker on the campus of Temple University, on the northeast corner of 13th Street and Cecil B. Moore Avenue, to commemorate Edith “Edie” Windsor with a dedication on September 12, 2018, the First Anniversary of her passing.

WHEREAS, Edith Windsor was born in Philadelphia on June 20, 1929; and

WHEREAS, She graduated from Temple University in 1950; and

WHEREAS, She worked in the early stage of computers in data entry into the UNIVAC, programming, systems architecture, operating systems, natural language processors, and as an IBM senior systems programmers; and

WHEREAS, She studied applied mathematics at Harvard University on an IBM Fellowship; and

WHEREAS, She became a respected IBM manager at a time when there were nationwide few women who were technology managers; and

WHEREAS, Starting in the 1960s she was active in the gay and lesbian community; and

WHEREAS, Starting in 1967 she was in a 42-year relationship with Thea Spyer; and

WHEREAS, In 1996 the Congress passed and President Clinton signed into law the Defense of Marriage Act, which among other provisions denied 1,138 federal marital benefits to same-sex marriages; and

WHEREAS, Windsor and Spyer were legally married in 2007; and

WHEREAS, Spyer died in 2009; and

WHEREAS, For heterosexual marriages there was no federal estate tax on jointly held property until the death of the surviving spouse; and

WHEREAS, Pursuant to the Defense of Marriage Act, Windsor was required to pay federal estate tax of \$363,053 on jointly held property; and

WHEREAS, Windsor retained noted attorney Roberta Kaplan to bring federal suit in Windsor v. U.S. to test the constitutionality of the Defense of Marriage Act; and

WHEREAS, Windsor won her case in the Federal District Court and in the United States Court of Appeals; and

WHEREAS, The U.S. Supreme Court granted certiorari; and

WHEREAS, The Supreme Court decided in Windsor v. U.S. (2013) that the denial of federal marital benefits to

lawfully married same-sex couples was unconstitutional in deprivation of personal liberty guaranteed by the Fifth Amendment; and

WHEREAS, Based on the holding in *Windsor v. U.S.*, in 2014 the federal court in Pennsylvania overturned the state prohibition against same-sex marriage thereby enabling government sanctioned same-sex marriage in Pennsylvania; and

WHEREAS, In 2014 and early 2015, federal and state courts applying the holding in *Windsor v. U.S.* held that the denial of same-sex marriage was unconstitutional; and

WHEREAS, The U.S. Supreme Court applying *Windsor v. U.S.* in the case of *Obergefell v. Hodges* (2015) held that the prohibition by any state to deny same-sex marriage was unconstitutional thereby enabling same-sex marriage nationwide; and

WHEREAS, Edie Windsor and Jim Obergefell were on a stage in front of Independence Hall on July 4, 2015, to participate in the 50th Anniversary Celebration of the LGBT Civil Rights Movement and to celebrate the Supreme Court's same-sex marriage decision; and

WHEREAS, Edie Windsor received in Philadelphia the Equality Forum's 21st Annual International Role Model Award; and

WHEREAS, Edie Windsor was named a LGBT History Month Icon in 2015; and

WHEREAS, Edie Windsor is an American civil rights hero; now, therefore, be it

RESOLVED, BY THE COUNCIL OF THE CITY OF PHILADELPHIA, That a Philadelphia Historic Marker be erected on the campus of Temple University, on the northeast corner of 13th Street and Cecil B. Moore Avenue, to commemorate Edith "Edie" Windsor and be dedicated on September 12, 2018, the First Anniversary of her passing.